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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION

In re
**THE LITIGATION PRACTICE GROUP,
P.C.,**
Debtor.

Case No. 8:23-bk-10571-SC

Chapter 11

**LIBERTY ACQUISITIONS GROUP,
INC.'S STATEMENT IN SUPPORT OF
CHAPTER 11 TRUSTEE'S EMERGENCY
MOTION (I) FOR ENTRY OF A SECOND
INTERIM ORDER: (A) AUTHORIZING
THE TRUSTEE TO OBTAIN
ADDITIONAL POST-PETITION
FINANCING AND SUPERPRIORITY
ADMINISTRATIVE EXPENSE CLAIM
PURSUANT TO 11 U.S.C. § 364; AND
(B) SETTING FINAL HEARING; AND
PURSUANT TO FINAL HEARING, (II)
FOR ENTRY OF FINAL ORDER
APPROVING POST-PETITION
FINANCING ON A FINAL BASIS**

DATE: July 19, 2023
TIME: 1:30 p.m.
PLACE: Courtroom "5C"

1 Liberty Acquisitions Group, Inc. ("Liberty") hereby submits "Liberty
2 Acquisitions Group, Inc.'s Statement in Support of Chapter 11 Trustee's Emergency
3 Motion (I) for Entry of A Second Interim Order: (A) Authorizing the Trustee to Obtain
4 Additional Post-Petition Financing and Superpriority Administrative Expense Claim
5 Pursuant to 11 U.S.C. § 364; and (B) Setting Final Hearing; and Pursuant to Final
6 Hearing, (II) for Entry of Final Order Approving Post-Petition Financing On A Final Basis"
7 (the "Statement"), in response to the "Trustee's Notice of Motion and Emergency Motion
8 (I) for Entry of A Second Interim Order: (A) Authorizing the Trustee to Obtain Additional
9 Post-Petition Financing and Superpriority Administrative Expense Claim Pursuant to 11
10 U.S.C. § 364; and (B) Setting Final Hearing; and Pursuant to Final Hearing, (II) for Entry
11 of Final Order Approving Post-Petition Financing On A Final Basis; Memorandum of
12 Points and Authorities; Declaration of Richard A. Marshack in Support" (the "Motion"),
13 filed by Richard A. Marshack (the "Trustee"), the duly appointed, qualified, and acting
14 chapter 11 trustee for the estate of the debtor The Litigation Practice Group, P.C. (the
15 "Debtor"), and represents as follows:

16 I.

17 PREFATORY STATEMENT

18 As the proposed DIP lender, Liberty supports the relief being sought by the
19 Trustee, namely, authorizing a second loan from Liberty to assist the Trustee in covering
20 necessary operational expenses pending his ongoing efforts to sell certain defined assets
21 of the estate. In sum, Liberty has agreed, subject to approval of the Court, to increase its
22 initial authorized loan of \$550,336.02 by an additional \$249,663.98, bringing the
23 aggregate amount of Liberty's post-petition financing to \$800,000.

24 Liberty believes the Trustee has demonstrated sufficient exigent
25 circumstances and cause warranting this increased DIP funding, and Liberty agrees that
26 the funds are necessary to maintain the Debtor as going concern pending a sale.
27 However, while Liberty is in favor of the Motion, Liberty has concerns regarding payment.
28 While Liberty is confident that the sale will be approved and the proposed "Amended and

1 Restated Super-Priority Promissory Note" affixed to the Motion will be repaid from the
2 sales proceeds, there are a number of constituents adamantly opposed to any sale.
3 These parties seemingly are intent on forcing the closure of the Debtor's business, with a
4 subsequent conversion to chapter 7 or outright dismissal, even if this results in significant
5 harm to both consumers and creditors of the estate.

6 Given these divergent positions, Liberty wants assurances from both the
7 Trustee and the Court that if the DIP loan is approved as requested, that Liberty's
8 position is protected whether or not a sale is approved and whether or not the case is
9 converted. As such, the Court should condition any approval of the DIP loan on the
10 condition that if no sale is approved or the case is converted, Liberty can be repaid from
11 current funds on hand that were pulled by the Trustee, or such other funds collected by
12 the Trustee during this case, within the time periods set forth in the proposed note.

13 II.

14 **CONCLUSION**

15 Based on the foregoing, Liberty respectfully requests that the Motion be
16 granted in all respects subject to this Statement, and for such other and further relief as
17 the Court deems just and proper.

18 DATED: July 18, 2023

GREENSPOON MARDER LLP

20 By: /s/ Daniel A. Lev

21 Daniel A. Lev
22 Attorneys for Liberty Acquisitions Group, Inc.

23 DATED: July 18, 2023

**LAW OFFICES OF RONALD RICHARDS &
24 ASSOCIATES, APC**

25 By:

Ronald Richards
26 Ronald Richards
27 Attorneys for Liberty Acquisitions Group, Inc.

28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1875 Century Park East, Suite 1900, Los Angeles, CA 90067.

A true and correct copy of the foregoing document entitled (*specify*): **LIBERTY ACQUISITIONS GROUP, INC.'S STATEMENT IN SUPPORT OF CHAPTER 11 TRUSTEE'S EMERGENCY MOTION (I) FOR ENTRY OF A SECOND INTERIM ORDER: (A) AUTHORIZING THE TRUSTEE TO OBTAIN ADDITIONAL POST-PETITION FINANCING AND SUPERPRIORITY ADMINISTRATIVE EXPENSE CLAIM PURSUANT TO 11 U.S.C. § 364; AND (B) SETTING FINAL HEARING; AND PURSUANT TO FINAL HEARING, (II) FOR ENTRY OF FINAL ORDER APPROVING POST-PETITION FINANCING ON A FINAL BASIS** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) July 18, 2023 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

July 18, 2023
Date

Cheryl Caldwell
Printed Name

/s/Cheryl Caldwell
Signature

ADDITIONAL SERVICE INFORMATION (if needed):

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